

**AGENDA
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – AUGUST 5, 2015 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD
PLEASE SILENCE ALL ELECTRONIC DEVICES DURING MEETING
THANK YOU.**

(The Town of Edgewood Council is pleased to have residents of the community take time to attend Council Meetings. Attendance and participation is encouraged. Individuals wishing to be heard during Public Hearing proceedings are encouraged to be prepared. Public comments may not be disruptive or harassing, and all persons are expected to maintain respect and decorum. Accordingly, rude, slanderous, or abusive comments and/or boisterous behavior will not be permitted. Written comments are welcomed and should be given to the Clerk-Treasurer prior to the start of the meeting).

- **CALL TO ORDER.**
- **PLEDGE OF ALLEGIANCE.**

1. APPROVAL OF AGENDA.

2. APPROVAL OF CONSENT AGENDA.

- A. Approval of the Draft Regular Council Meeting Minutes of July 15, 2015.
- B. Approval of the Draft Special Council Meeting Minutes of July 25, 2015.
- C. Acknowledge Receipt of the Draft Planning & Zoning Commission Meeting Minutes of July 21, 2015. (Meeting Cancelled for lack of Agenda items.)
- D. Acknowledge Receipt of the Draft Special Planning & Zoning Commission Meeting Minutes of July 30, 2015.

3. MATTERS FROM THE MAYOR.

- A. Recognition of Mr. John Suda.
- B. Governing Body Attorney-Client Communication.
- C. Update on Economic Development Activity.

4. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

- A. Clarification on the Meeting Minutes of the Regular Council Meeting of July 1, 2015 Councilor John Abrams.

5. MATTERS FROM THE MUNICIPAL JUDGE.

- A. Judge White will present his report for the month of July, 2015.

6. PUBLIC COMMENTS OF GENERAL MATTERS. Limit to 2 minutes per person.

7. NEW MEXICO MUNICIPAL LEAGUE ANNUAL CONFERENCE VOTING DELEGATES.

8. PUBLIC HEARING.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required:

- A. Adoption of Gross Receipts Infrastructure Program.

9. PUBLIC HEARING.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required:

A. Amendments to Zoning Ordinance No. 2014-02.

10. RESOLUTIONS.

A. Amendment to Resolution No. 2015-11 - A Resolution to Participate in the New Mexico Department of Transportation Municipal Arterial Program (MAP) within The Town of Edgewood, New Mexico.

11. MATTERS FROM THE ADMINISTRATOR.

12. ANNOUNCEMENTS and/or CALENDAR REVIEW.

A. Regular Council Meeting - August 19, 2015 @ 6:30 P.M.

B. Regular Council Meeting – September 2, 2015 @ 6:30 P.M.

NOTE: The Town Offices will be closed on Monday, September 7, 2015 in observance of Labor Day.

13. FUTURE AGENDA ITEMS.

A. Public Hearing – Adoption of the 2017-2021 ICIP.

B. Public Hearing – Continuation of the Wastewater Ordinance.

14. ADJOURN.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Clerk at the Town Offices located at 1911 Historic Route 66, at least five (5) days prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Town Clerk at (505)286-4518, or by e-mail at clerk@edgewood-nm.gov if a summary or other type of accessible format is needed. The complete council packet may be viewed on the web, visit www.edgewood-nm.gov click on Agendas & Minutes.

**MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – JULY 15, 2015 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD**

• **CALL TO ORDER.**

Mayor Hill was not present. Mayor Pro-Tem Abrams called the meeting to order at 6:32 pm. Councilors present were: Sherry Abraham and Chuck Ring. Also present were: Steve Shepherd, Town Administrator, Estefanie Muller, Clerk-Treasurer, & Bonnie Pettee, Staff

• **PLEDGE OF ALLEGIANCE.**

1. APPROVAL OF AGENDA.

Mayor Pro-Tem Abrams stated that Items 10, 11, & 12 on the agenda would be moved to a Special Session on July 25th and Items 19 & 20 would be removed.

MOTION: Councilor Abraham made a motion to approve the agenda as presented, moving Items 10, 11, & 12 to a Special Session on July 25, 2015 and removing Items 19 & 20. Councilor Ring seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Abraham voted aye. Mayor-Pro Tem Abrams voted aye. The motion carried.

2. APPROVAL OF CONSENT AGENDA.

A. Approval of the Draft Regular Council Meeting Minutes of June 17, 2015.

B. Approval of the Draft Regular Council Meeting Minutes of July 1, 2015.

C. Acknowledge Receipt of the Draft Planning & Zoning Commission Meeting Minutes of July 7, 2015.

D. Acknowledge Receipt of the Draft Library Board Meeting Minutes and Library Report for the month of June, 2015.

E. Acknowledge Receipt of the Parks & Recreation Meeting Minutes of May, 2015.

F. Animal Control Advisory Committee Meeting Minutes of June, 2015.

MOTION: Councilor Abraham made a motion to approve the Consent Agenda. Councilor Ring seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Abraham voted aye. Mayor-Pro Tem Abrams voted aye. The motion carried.

3. MATTERS FROM THE MAYOR.

A. Presentation of Certificate of Appreciation to Cameron Colson & Troop 465.

Mayor Pro-Tem Abrams stated it was his desire to make a presentation to Cameron Colson tonight, but unfortunately he was not present. It was because of Mr. Colson's hard work over many years that made the trail possible.

B. Run, Rally, Rock.

Mayor Pro-Tem Abrams stated the Run, Rally, Rock celebration will be held August 8, 2015. He encouraged all residents to participate.

C. Commitment to Attend the New Mexico Municipal League Annual Conference. The Annual Municipal League Conference will be held September 2-4, 2015. A commitment from the Councilors is needed to make reservations accordingly. Councilor Abraham and Councilor Ring stated that they would attend. Mayor Pro-Tem Abrams added his appreciation for the Edgewood Police Department for their recent efforts in the resolution of a neighborhood drug related problem.

4. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

Councilor Abraham spoke about the Edgewood Music & Arts Festival at Wild Life West the end of July. She encouraged everyone to attend. She also, commented on the tour of the new Animal Shelter and Police Station. She stated the buildings will be awesome when completed.

Councilor Ring commented on three new business opening soon in Edgewood.

Councilor Simmons arrived at this time.

Councilor Ring stated he had previously asked for the action at the June 24th meeting to be reversed. He felt it was done outside the law. He noted that he had asked for several records to be released that pertain to the Police Department. He asked that in light of Ms. Gonzales' condition, all Administrative hearings be halted.

A. Demonstration on LED lights.

Councilor Simmons commented on the need for LED lights for security purposes around mailboxes and some intersections. She invited Gary Aragon to the meeting tonight for the purpose of demonstrating the lighting. Mr. Aragon stated he would make his presentation a little later when it was darker. Mr. Aragon will provide the cost for each light he demonstrated.

5. MATTERS FROM THE ATTORNEY.

The Attorney was not present.

6. TOWN OF EDGEWOOD POLICE REPORT – Chief Radosevich.

A. Police Report and Animal Control Report for the month of June, 2015.

Chief Radosevich said he would answer any questions about his report. He reported that Movie Night is July 16th at 7:30 pm. The movie will be "The Lion King"

He reported on the progress of the new building; no delays or downtime. They are moving along; have started the stucco.

He spoke about an incident on Barton Court that involved runaway teens and drugs. He said it was a team effort from area police forces and the neighbors who called in. He thanked all who helped with this effort.

Councilor Ring expressed his appreciation to the Officers who helped with this. He asked if a Neighborhood watch was set up in this area.

Chief Radosevich replied, "Not yet".

Councilor Abraham inquired about the differences between "beats", per his report.

Chief Radosevich explained some "beats" cover more area than others.

Councilor Ring asked if there was someone to step in for Officer Gonzales.

Chief Radosevich replied not at this time. With the annexation coming soon, possibly then.

MOTION: Councilor Ring made a motion to approve the Police Report for June 2015. Councilor Simmons seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. The motion carried.

7. PRESENTATION – PINTO PRIDE FOUNDATION FOR ACADEMIC ENRICHMENT.

Todd Bibiano, President of Pinto Pride, talked about the organization, which started up a year and a half ago to support and raise funding for Moriarty Edgewood School District. He introduced Pricilla Ortiz, the Treasurer of the Pinto Pride and Tom Sullivan, of MESD. Money is raised by selling bricks. Thus far, they have remodeled the high school patio with the sold bricks and funded 5 grants for \$500 to teachers.

Mr. Sullivan congratulated Mr. Bibiano and Ms. Ortiz for their positive influence.

Councilor Ring stated that previously one area church donated \$9000 to the fund and asked if they were currently working with the church again.

Mr. Bibiano replied, "Not at this time".

8. ESTANCIA BASIN RESOURCE ASSOCIATION (EBRA) REPORT - MR. ART SWENKA.

Mr. Swenka presented the Annual Report for the Estancia Basin Resource Association. He spoke about the reduction of their board meetings, the Legislative Session, water sales and the yearly rainfall comparisons.

Councilor Simmons complimented Mr. Swenka and EBRA for their work in protecting water resources.

9. REVIEW & APPROVAL OF ENVISION I.T. SOLUTIONS MANAGED SERVICES CONTRACT – Adam Doubrava.

Adam Doubrava stated he represents Envision for their services to the Town of Edgewood.

Councilor Simmons asked about the tax rate on the proposal, which was 7%.

Mr. Doubrava stated it was Albuquerque tax.

Councilor Ring asked if it could be changed to reflect Edgewood tax, which is 8%.

Mr. Doubrava replied that it could be changed.

Steve Shepherd explained the proposal for 2016 contract contained two scenarios. The first scenario represents a continuation of the current services; the second is with reduced back-up costs. He added they are also exploring other areas for storage of lapel and car videos.

MOTION: Councilor Simmons made a motion to accept the contract with Bohannon Houston Inc. for I.T. services for 2016. Councilor Ring seconded the motion with discussion.

Mayor Pro-Tem Abrams asked if either of these proposals would include services outside the standard services.

Mr. Doubrava replied there would be an additional charge for server related problems.

Councilor Abraham stated she would like to see more quotes.

VOTE: Councilor Ring voted aye. Councilor Abraham voted nay. Councilor Simmons voted aye. The motion carried.

10. PUBLIC HEARING.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required:

A. Approval to Submit the 2015-2016 Final Budget to the Department of Finance and Administration by Adoption of Resolution No. 2015-13.

This Item moved to Special Council Meeting of July 25, 2015.

11. PUBLIC HEARING.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required:

Continued from the Council Meeting of June 17, 2015.

A. Proposed Ordinance No. 2015-03; An Ordinance Governing the Collection, Treatment, and Disposal of Wastewater Within the Town; Providing for Procedures and Policies for Obtaining Wastewater Service from the Town; Providing for the Authority of the Town and Providing for Fees and Penalties. Repealing Ordinance No. 2010-01 An Ordinance Providing for Connection to Wastewater Facilities of the Edgewood Sewer District; and Repealing Ordinance No. 2010-02. An Ordinance Governing the Wastewater and Sewage Disposal.

This Item moved to Special Council Meeting of July 25, 2015.

12. RESOLUTIONS.

A. Budget Resolution No. 2015-14. A Budget Resolution Approving the Fourth Quarter Financial Report for Fiscal Year 2014-15.

B. Budget Resolution No. 2015-15. A Budget Resolution Approving Year End Budget Adjustments for Fiscal Year 2014-15.

This Item moved to Special Council Meeting of July 25, 2015.

13. CALL FOR PUBLIC HEARING.

A. Adoption of the 2017-2021 Infrastructure Capital Improvements Plan (ICIP) by Resolution. (Council Meeting of August 19, 2015).

MOTION: Councilor Ring made a motion to call for Public Hearing to Adopt the 2017-2021 Infrastructure Capital Improvements Plan by Resolution. Councilor Simmons seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Motion carried.

14. PUBLIC COMMENTS OF GENERAL MATTERS. Limit to 2 minutes per person.

Ryan Billbright spoke about Horton Road and the Northland Court area, which is problematic and asked for the Town's support and aid in finding resolution.

Brad Brockner, a police officer for 21 years, spoke on behalf of Councilor Ring. He commended Councilor Ring for his integrity, honesty and frankness. Mr. Brockner

encouraged the Council and Chief of Police to take to heart the concerns of Councilor Ring regarding the Town.

John McCauley, a retired law enforcement officer, spoke on behalf of Councilor Ring and Officer Gonzalez. He asked the Town to do its due diligence and get down to the facts.

Gary Aragon gave his presentation on LED lights at this time. He showed 2 different types of lights and explained their potential uses, wattage and life span.

Councilor Simmons thanked him for coming to the meeting and for his demonstration. She added that the lights would be very useful in specific areas. She would like to have additional discussions about this in the future.

Mayor Pro-Tem Abrams stated that he and Mr. Shepherd were actively pursuing the United States Postal Services for lighting around mail boxes.

Ben Martin, a resident of Edgewood and retired law enforcement officer, also, spoke on behalf of Councilor Ring. He suggested an independent investigator be hired to resolve the situation.

Abelino Lopez, stated he had the utmost respect of Councilor Ring and hopes the pending issues are resolved the right way.

15. MATTERS FROM THE ADMINISTRATOR.

A. Update on Secretary-Receptionist and Planning Assistant positions.

Steve Shepherd reported that the position for Secretary-Receptionist has been advertised. Interviewing will start within the next two weeks. Bonnie Pettee has been hired to fill the position of Code Enforcement/Planning Assistant.

Councilor Ring complimented Mr. Shepherd and Ms. Pettee for their efforts in checking properties for code violations.

Mr. Shepherd replied that he and Ms. Pettee would try to get out in the community each week to follow up on complaints.

16. APPROVAL OF THE FINANCIAL REPORT FOR THE MONTH OF JUNE, 2015

MOTION: Councilor Simmons made a motion to accept the Financial Report for the month of June, 2015. Councilor Abraham seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. The motion carried.

17. ANNOUNCEMENTS and/or CALENDAR REVIEW.

A. Regular Council Meeting – August 5, 2015 @ 6:30 P.M.

B. Regular Council Meeting – August 19, 2015 @ 6:30 P.M.

18. FUTURE AGENDA ITEMS.

A. Review of the ICIP for Submission to DFA.

B. Public Hearing - Adoption of Gross Receipts Infrastructure Program.

C. Public Hearing - Amendment to the Zoning Ordinance.

D. Public Hearing – Request to Erect FM Radio Tower.

E. Special Council Meeting – July 25, 2015 @ 10:00 A.M.

19. CLOSED SESSION.

As per motion and roll call vote, pursuant to NMSA 1978, 10-15-1-(H)(2) and (H)(7) the following will be discussed in Closed Session.

- Limited Personnel Matters
- Pending Litigation

None

20. MOTION PER CLOSED SESSION.

None

21. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn the meeting of July 15, 2015. Councilor Abraham seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. The motion carried.

Mayor Pro-Tem Abrams adjourned the meeting at 8:05 pm.

PASSED, APPROVED and ADOPTED this 5th day of AUGUST, 2015.

Brad E. Hill, Mayor

ATTEST:

Estefanie B. Muller, CMC, Clerk-Treasurer

**MINUTES
TOWN OF EDGEWOOD
SPECIAL COUNCIL MEETING – SATURDAY, JULY 25, 2015 @ 10:00 A.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD**

- **CALL TO ORDER.**

Mayor Hill called the meeting to order at 10:00 am.

Councilors present were: John Abrams, Sherry Abraham, Rita Loy Simmons, and Chuck Ring.

Also present were: Steve Shepherd, Town Administrator, Estefanie Muller, CMC, Clerk-Treasurer and Attorney Vanessa Chavez.

- **PLEDGE OF ALLEGIANCE.**

1. **APPROVAL OF AGENDA.**

MOTION: Councilor Abrams made a motion to approve the agenda as presented.
Councilor Ring seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. The motion carried.

2. **PUBLIC HEARING.**

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required:

(Continued from the Council Meeting of July 15, 2015.)

Estefanie Muller certified that the Public Notice was posted as required.

A. Approval to Submit the 2015-2016 Final Budget to the Department of Finance and Administration by Adoption of Resolution No. 2015-13.

Steve Shepherd explained that this was essentially the same budget that they had prepared for the Interim, but a few adjustments have been made. The adjustments included additional Legal expenses, salary adjustments, Town branding-logo and the Town sign.

Steve asked for site information when the Town sign is ready to be installed.

A brief discussion followed regarding salaries vs. the sign and branding & logo.

Councilor Simmons stated it was more a priority to budget additional dollars towards salaries in an effort to retain good employees than towards the sign.

Mayor Hill added salaries would also be subject to the new Pay Plan, when it is received and some positions will need to be reclassified.

Councilor Ring inquired about the need for a Code Enforcement Officer, which was not included in the budget. He emphasized the need to enforce our Landscaping and Sign Ordinances. He suggested that a Police officer could help with this job.

Mayor Hill agreed to look into the possibility.

Councilor Ring commented on one employee who has done a great job in beautifying the community.

Councilor Abrams stated he understood the adjustments were necessary, however, he questioned the amount designated for the Town sign.
Councilor Abraham replied that the actual sign is half the amount designated. The remaining amount is for installation, program, & electricity.

Mr. John Bassett stated that he agreed with the idea of putting the money towards employee retention and salaries.

Mayor Hill asked if Council would like to make a compromise in any of the budget items.

Councilor Ring recommended the budget be left as is. There is a lot of commitment on the Town's part to continue with the Branding and Logo.

Mayor Hill explained that the budget is really just a target. It can be changed.

MOTION: Councilor Ring made a motion to approve the budget as presented.
Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. The motion carried.

3. RESOLUTIONS.

A. Budget Resolution No. 2015-14. A Budget Resolution Approving the Fourth Quarter Financial Report for Fiscal Year 2014-14.

MOTION: Councilor Abrams made a motion to approve Budget Resolution No. 2015-14, A Resolution Approving the Fourth Quarter Financial Report for Fiscal Year 2014-14. Councilor Simmons seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. The motion carried.

B. Budget Resolution No. 2015-15. A Budget Resolution Approving Year End Budget Adjustments for Fiscal Year 2014-15.

(Continued from the Council Meeting of July 15, 2015.)

MOTION: Councilor Ring made a motion to approve Budget Resolution No. 2015-15, A Resolution Approving Year End Budget Adjustments for Fiscal Year 2014-15. Councilor Simmons seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. The motion carried.

4. PUBLIC HEARING.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required:

Continued from the Council Meeting of July 15, 2015.

Estefanie Muller certified that the Public Notice was posted as required.

- A. Proposed Ordinance No. 2015-03; An Ordinance Governing the Collection, Treatment, and Disposal of Wastewater Within the Town; Providing for Procedures and Policies for Obtaining Wastewater Service from the Town; Providing for the Authority of the Town and Providing for Fees and Penalties. Repealing Ordinance No. 2010-01 An Ordinance Providing for Connection to Wastewater Facilities of the Edgewood Sewer District; and Repealing Ordinance No. 2010-02. An Ordinance Governing the Wastewater and Sewage Disposal.

Steve Shepherd stated he had received comments regarding changes from Councilor Ring. He forwarded them to the Town Engineers and will meet with them in the near future to discuss. Mr. Shepherd asked if there were any other comments from Council. If so, they should bring them in rather quickly.

Mayor Hill added that he would like to see this wrapped up. He asked Councilors to review the comments before the next meeting.

MOTION: Councilor Abrams made a motion to continue the Public Hearing for Proposed Ordinance No. 2015-03; An Ordinance Governing the Collection, Treatment, and Disposal of Wastewater to the meeting of August 19, 2015. Councilor Simmons seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. The motion carried.

5. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn the meeting of July 25, 2015. Councilor Ring seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. The motion carried.

The meeting adjourned at 10:40 am.

PASSED, APPROVED, and ADOPTED this 5th day of AUGUST, 2015.

Brad E. Hill, Mayor

ATTEST:

Estefanie B. Muller, CMC, Clerk-Treasurer

**DRAFT MINUTES
TOWN OF EDGEWOOD
PLANNING & ZONING COMMISSION
SPECIAL MEETING - JULY 30, 2015 AT 6:00 PM
EDGEWOOD COMMUNITY CENTER 27 E. FRONTAGE ROAD,
EDGEWOOD, NM 87015**

• **CALL TO ORDER & ROLL CALL**

Madame Chair McGill called the meeting to order at 6:00 pm and Roll Call was taken. Commissioners present were: Dan Thompson, Pat Markley, and Madame Chair Kay McGill.

Commissioners not present were: Leonard Navarre and Brad Gabel.

Also present were: Steve Shepherd, Town Administrator and Bonnie Pettee, Planning Assistant.

1. APPROVAL OF AGENDA

MOTION: Commissioner Markley made a motion to approve the agenda as presented. Commissioner Thompson seconded the motion.

VOTE: Commissioner Markley vote aye. Commissioner Thompson voted aye. Madam Chair McGill voted aye. The motion carried.

2. APPROVAL OF MINUTES FOR JULY 7, 2015

Madame Chair McGill suggested the approval of the Minutes for the July 7, 2015 meeting be deferred until the next meeting, due to a lack of voting quorum at this meeting.

Commissioner Markley was not present at the July 7th meeting and therefore, is unable to vote on their approval.

3. PUBLIC COMMENT. (LIMITED TO 2 MINUTES PER PERSON.)

Mr. John Bassett questioned the need for a Call for Public Hearing.

Steve Shepherd stated is in the Variance Procedures listed in both the Zoning Ordinance 2014-02 and Sign Ordinance 2009-02.

4. CALL FOR PUBLIC HEARING:

Steve Shepherd reported that "we" had received a request for a variance to the Zoning Ordinance and another request for a variance to the Sign Ordinance. Staff has asked the applicant to have his completed application to the office by August 7, 2015. Public Hearing will be held on the 18th of August. Mr. Shepherd asked that the motions be made separately.

The Commissioners stated they would hold their questions until they reviewed the application.

A) CONSIDERATION OF A VARIANCE REQUEST FROM ZONING ORDINANCE 2014-02.

MOTION: Commissioner Markley made a motion to Call for Public Hearing in Consideration of a Variance Request from the Zoning Ordinance 2014-02 on August 18, 2015. Commissioner Thompson seconded the motion.

VOTE: Commissioner Markley voted aye. Commissioner Thompson voted aye. Madame Chair McGill voted aye. The motion carried.

B) CONSIDERATION OF A VARIANCE REQUEST FROM SIGN ORDINANCE 2009-02.

MOTION: Commissioner Thompson made a motion to Call for Public Hearing in Consideration of a Variance Request from Sign Ordinance 2009-02 on August 18, 2015. Commissioner Markley seconded the motion.

VOTE: Commissioner Markley voted aye. Commissioner Thompson voted aye. Madame Chair McGill voted aye. The motion carried.

Madame Chair McGill directed staff to post signs announcing the Public Hearing for a minimum of 15 days prior to the Public Hearing in those locations identified by the Planning & Zoning Commission as likely to provide sufficient notice to the public. Steve Shepherd replied that the signs will be posted tomorrow morning.

5. OLD BUSINESS:

None

6. MATTERS FROM THE CHAIR AND COMMISSION MEMBERS.

Commissioner Markley commented on an application process the City of Albuquerque has. Basically, if you are willing to pay a much larger fee, the City will expedite your request in 10 days. He asked if that would be something Edgewood would consider doing. Steve Shepherd stated he would look into it. He added that something like this could be attractive to a potential developer.

7. MATTERS FROM STAFF.

None

8. CALENDAR UPDATE AND FUTURE AGENDA ITEMS.

Steve Shepherd asked if the Commissioners would like to cancel the meeting of August 4, 2015. There is one item for the agenda. It could be held until the August 18, 2015. Commissioners Markley and Thompson agreed to cancel the meeting of August 4th, 2015.

9. ADJOURN.

MOTION: Commissioner Thompson made a motion to adjourn tonight's meeting. Commissioner Markley seconded the motion.

VOTE: Commissioner Markley voted aye. Commissioner Thompson voted aye. Madame Chair McGill voted aye. The motion carried.

The meeting of July 30, 2015 was adjourned at 6:13 pm.

PASSED, APPROVED, and ADOPTED this 18th day of AUGUST, 2015.

ATTEST:

Kay McGill, Chairperson, P & Z

Leonard Navarre, Secretary, P & Z

Mayor Hill updated on the progress of the new buildings, which are moving along, even though most of the work being done is not visible.

Councilor Ring asked if there had been any change orders.

Steve Shepherd replied only minor changes, not material changes.

4. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

Councilor Ring complimented Town employee, James Solomon for his work trimming bushes along the roads and in front of the Town offices.

Councilor Ring commented on the action from the last meeting's Closed Session. He felt it was a violation of the Open Meetings Act.

Mayor Hill stated it would be referred to Legal Counsel.

A. Lodger's Tax Discussion – Councilor Abraham.

Councilor Abraham stated the 1st Annual Arts Alliance Event will be held at the Soccer Field on July 4th. She encouraged everyone to come out and participate.

Councilor Abraham reported that approximately \$5000 was raised from the Relay for Life.

She spoke regarding the Lodger's Tax. A hotel in the Town of Edgewood would promote tourism and benefit the Town by approximately \$800,000 over 10 years. These funds can be used to enhance the community.

Councilor Abrams stated his concern over the action of the last meeting. He respectfully asked Councilor Ring to resign his position on Council, due to pending litigation.

Councilor Ring replied that he had no intention of resigning.

5. MATTERS FROM THE MUNICIPAL JUDGE.

A. Judge White will present his report for the month of June, 2015.

Judge White was not present.

MOTION: Councilor Simmons made a motion to approve the Judge's Report for the month of June, 2015. Councilor Abrams seconded the motion.

VOTE: Councilor Abram voted aye. Councilor Simmons vote aye. Councilor Abraham voted aye. Councilor Ring voted aye. The motion carried.

6. CALL FOR PUBLIC HEARING.

A. Adoption of Gross Receipts Infrastructure Program.

Mayor Hill stated it is the communities desire to support Economic Development in Edgewood. The GRT is derived from ongoing businesses and is designated to support off site infrastructure. It gives the Council and Governing Body the option to choose what projects to fund.

MOTION: Councilor Abrams made a motion to Call for Public Hearing to discuss the available options. Councilor Abraham seconded the motion.

Councilor Abrams suggested our Representative for Economic Development be invited to speak at this meeting.

VOTE: Councilor Abram voted aye. Councilor Simmons vote aye. Councilor Abraham voted aye. Councilor Ring voted aye. The motion carried.

Councilor Abrams Comments – July 1, 2015

I waited until last because I wanted to hear what everyone else had to say. I was hoping more would be said about what was going on at our last meeting after Closed Session. I'm very concerned. Um, I know that Councilor Ring has had a long historic history as a public servant to our community, but I am gravely concerned about the position that he is currently in. Um, there's no precedence in state statute or ordinance for the town, um, that governs the position that he's put himself in and has brought this Council to. And I find that very difficult that from someone who has had such a long public career. I can't understand or phantom the ability to bring litigation against the town and then sit on Council. It's my opinion that if I were in that position, I would have resigned, not only my position as a Council member, but Mayor Pro-Tem and any committee that I was a part of. I don't see how you can litigate and fight a legal battle, and still sit and govern. And therefore, at this particular point and time, as my Matter from Council, I would ask very, very cordially for Councilor Ring to very, very carefully consider his current position. I have nothing else to say.



**MUNICIPAL CLERKS: PLEASE DISTRIBUTE COPIES TO YOUR
ENTIRE GOVERNING BODY**

TO: MAYORS/ GOVERNING BODY MEMBERS
FROM: William F. Fulginiti, Executive Director
SUBJECT: 2015 ANNUAL CONFERENCE VOTING DELEGATES
DATE: July 9, 2015

The 58th Annual Conference of the NM Municipal League will be held September 2nd through the 4th in Albuquerque.

At the Annual Business Meeting on Thursday, September 3rd, a President Elect, Vice President, Treasurer and three Directors-at-Large (2-Year Term) will be elected. Also, the *Annual Statement of Municipal Policy* and *Annual Conference Resolutions* will be adopted.

Each member municipality in good standing that is registered and attending the Annual Conference shall be entitled to one delegate vote in electing officers, deciding municipal policy and voting upon all other questions at the Annual Business Meeting. A municipality in good standing means that at least one-half of the municipality's current League annual dues must have been paid prior to or at the Conference. The vote of the municipality is cast by the Voting Delegate (or in her/his absence, the Alternate) who is selected by the governing body of the municipality.

The Annual Business Meeting will be conducted in accordance with Robert's Rules of Order Revised, and the Annual Business Meeting Rules and Procedures, which shall govern the actions and deliberations of the League membership assembled in convention. Enclosed for your information are the *Policy Process Outline and the Annual Business Meeting Rules and Procedures*.

Please place the selection of a Voting Delegate and Alternate on the agenda of your next official governing body meeting. **The Voting Delegate and Alternate must be persons planning to attend the Conference.** Once they are selected, enter the names and titles of the Voting Delegate and Alternate for your municipality and **return this form to the League Office no later than Friday, August 21, 2015.**

This is **not** an official registration form for the Annual Conference for either the Voting Delegate or the Alternate. Delegates must register for the Conference on the form provided in the Conference information you have already received.

Voting Delegates and Alternates must check in with NMML Staff at the Credential's Desk at Conference Registration.

.....

Municipality: _____

Voting Delegate: _____ Title: _____

Alternate: _____ Title: _____

Approved By: _____

RETURN BY OR BEFORE AUGUST 21, 2015 to:

Jackie Portillo, Support Services Coordinator
NM Municipal League
P.O. Box 846 - Santa Fe, NM 87504
jportillo@nmml.org
Fax: 505-984-1392



2015 ANNUAL CONFERENCE

**POLICY PROCESS
OUTLINE AND ANNUAL
BUSINESS MEETING
RULES AND PROCEDURES**

**SEPTEMBER 3, 2015
ALBUQUERQUE, NM**

POLICY PROCESS OUTLINE

PRIOR TO ANNUAL CONFERENCE

1. Policy Committees meet to review previous year's conference Resolutions and Statement of Municipal Policy, as well as newly submitted Resolutions and statements to be added to Policy. Proposed Resolutions or proposed Policy Statement amendments may be submitted by Committee members, member municipalities or League subsections. Committee makes necessary amendments and adopts, rejects, refers to appropriate other committee or (if resolution is not germane to coming session) refers to following year's committee, all by simple majority of votes cast.

Committee prioritizes all Resolutions it adopts (including those staff is directed to draft) as "High," "Medium" or "Low" priority. Committee then ranks all "High" priority Resolutions in descending order, with "1" as highest rank.

Policy Committee recommendations go to the Resolutions Committee.

2. Resolutions Committee meets and reviews proposed Resolutions and proposed Statement of Municipal Policy amendments as submitted by Policy Committees. Additional proposed Resolutions or proposed Policy Statement amendments may be submitted by Committee members, member municipalities or League subsections. Resolutions Committee makes necessary amendments and adopts or rejects by simple majority of votes cast.

Resolutions Committee recommendations, adopted by simple majority of votes cast, go to Annual Business Meeting at the Annual Conference.

LEAGUE ANNUAL CONFERENCE

3. Resolutions Committee meets to consider additional proposed Resolutions or proposed Policy Statement amendments which have not been considered at its pre-conference meeting. Such proposals may be submitted by Committee members, member municipalities or League subsections. Resolutions Committee adopts or rejects by simple majority of votes cast, any new Resolutions or amended Policy Statement.

Resolutions Committee recommendations go to Annual Business Meeting.

4. The Annual Business Meeting reviews proposed Resolutions and proposed Statement of Municipal Policy amendments submitted by Resolutions Committee. The Annual Business Meeting makes necessary amendments and adopts or rejects by simple majority of votes cast.

Conference Resolutions and the Statement of Municipal Policy adopted by the Annual Business Meeting become the League's official documents for the year ending with the next Annual Business Meeting.

AFTER ANNUAL CONFERENCE

5. At a Fall meeting of the League Board of Directors, the Board reviews the Conference Resolutions and prioritizes them for action in the upcoming legislative session. The Board then selects its top priorities to become the League's primary legislative agenda.

* * * * *

In addition, at a joint meeting of the Boards of Directors of the League and the New Mexico Association of Counties, the two boards select those resolutions of the two associations which they jointly agree deserve joint association support in the legislative session.

ANNUAL BUSINESS MEETING

RULES AND PROCEDURES

- 1.0 **PRESIDING OFFICER.** The Presiding Officer of the Annual Business Meeting shall be the President who shall call the business meeting to order. If the President is absent from the meeting, the presiding officer will be determined in the following order:
- President-Elect
 - Vice-President
 - Treasurer
 - A member of the Board of Directors selected by the Board.
- 2.0 **FLOOR RULES.** The Presiding Officer shall control the conduct of the meeting and all floor actions, subject to challenge from delegates or the parliamentarian, if any. The Presiding Officer will take motions and seconds from the floor on matters of business, will recognize the call for the question and ask for the official vote from voting delegates. The Presiding Officer will recognize those parties wishing to address the voting delegates.

The business on the floor shall be directed by the following requirements and guidelines:

- 2.1 **Quorum.** The presence of credentialed delegates representing a majority of the member cities registered at the Annual Conference shall constitute a quorum.
- 2.2 **Rules of Order.** Robert's Rules of Order Revised shall govern the conduct of the Business Meeting unless otherwise specified in the New Mexico Municipal League By-Laws or these official rules and procedures.
- 2.3 **Parliamentarian.** A qualified parliamentarian will be appointed to assist the Presiding Officer and delegates on matters of procedure at all times during the Annual Business Meeting.
- 3.0 **ACCESS TO THE FLOOR - GENERAL RULES.** Access to the Annual Business Meeting shall be governed by these rules:
- 3.1 **Separation of Floor From Gallery.** The site of the business meeting shall be divided into a floor section and a gallery section. The floor section shall be further separated into a rostrum and a section for voting delegates and alternates. No one shall be given access to the voting delegates section except as provided by these rules.
- 3.2 **Delegate and Staff Access to the Floor.** To gain access to the floor, voting delegates or alternates must wear a registration name tag bearing a Delegate or Alternate sticker. Only those staff necessary for conducting the meeting shall be permitted on the floor.
- 3.3 **News Media Access to the Floor.** Members of the news media may be allowed on the floor at the discretion of the Presiding Officer.
- 3.4 **Committee Access to the Floor.** Policy committee, task force, or special committee chairpersons and vice-chairpersons, not certified to vote, may be allowed on the floor and may be recognized to speak at the discretion of the Presiding Officer.
- 3.5 **Delegates, Guests and Observers.** Any Conference delegate will have access to the gallery. Guests and observers may have access to the gallery at the discretion of the Presiding Officer. Conference delegates, guests and observers may be recognized to speak at the discretion of the Presiding Officer.

4.0 **VOTING.** Voting at the Annual Business Meeting shall be governed by the following rules:

- 4.1 **Credentials Committee.** The Credentials Committee shall have the power to determine the right of any municipality to be represented at the Annual Business Meeting of the League.
- 4.2 **Entitlement to Vote.** Each member municipality in good standing, as determined by the Credentials Committee, registered and attending the Annual Conference shall be entitled to one vote by its delegate appointed by its governing body. **Voting by proxy is prohibited. The delegate must be present to cast a vote.**

In the event that a member municipality fails to appoint a delegate, such matter shall be referred to the Presiding Officer of the Annual Business Meeting who may designate a Voting Delegate from that member municipality.

- 4.3 **Method of Voting.** Where there is more than one nominee for office, the voting shall be only by written, printed or typed ballot, and shall be counted by the Canvassing Committee. In the case of the Director-At-Large positions, the candidates receiving the largest plurality shall be elected. All other voting shall be by a show of hands or voice vote, except that upon request of one-third of the delegates present, a roll call shall be called upon any question. Upon any vote, a majority of the delegates present and voting shall prevail, except upon questions which require more than a majority vote under any of the provisions of the By-Laws.

5.0 **ELECTIONS.** Elections for officers of the Municipal League and its Board of Directors shall be governed by these rules: Elections for the following positions shall take place at the Annual Business Meeting: President, (if no President-Elect is currently holding office), President-Elect, Vice-President, Treasurer and expired At-Large Board of Directors seats, including unexpired At-Large Directorships if any.

- 5.1 **Nominating Committee.** In the absence of any declaration of candidacy for a particular office or directorship, the League President shall appoint a Nominating Committee not less than fifty-nine (59) days before the Annual Conference and written notice of such appointment shall be given to all member municipalities. The Nominating Committee shall consist of the President, who shall serve as chair, and two persons from each of the League Districts. No declared candidate for any office or for directorship shall be a member of the Nominating Committee.

- 5.2 **Nominating Committee Meeting.** When necessary, the Nominating Committee will meet not later than twenty-one (21) days prior to the Annual Conference to recommend a candidate for any undeclared office. The Nominating Committee Report shall be sent to all members within five (5) days after the finalization of the Committee Report.

- 5.3 **Nominations from the Floor.** At the Annual Business Meeting, nominations from the floor may be made by any certified voting delegate in attendance, for any office or directorship to be filled.

- 5.4 **Election of Officers and Directors.** Voting shall be conducted as set out in Procedures 4.1, 4.2 and 4.3. The nominee(s) receiving the highest number of votes shall be elected. In the case of the Directorships At-Large positions, the candidates receiving the largest plurality shall be elected.

6.0 **ADOPTION OF THE STATEMENT OF MUNICIPAL POLICY & RESOLUTIONS**

Adoption of the Statement of Municipal Policy and Resolutions as outlined in the Annual Business Meeting preface of this document shall be by a majority of votes cast by the certified voting delegates present and voting.

7.0 **ADJOURNMENT OF THE ANNUAL BUSINESS MEETING**

After the Presiding Officer has determined all business has been concluded, the Annual Business Meeting shall be closed by a motion from the floor. A motion to adjourn requires approval by a voice vote of a majority of those voting delegates present and voting.

Proposed Changes for Town of Edgewood Zoning Ordinance 2014-02

Amended: February 4, 2015

Add F. to Section 6 (Page 13 of 61)

SECTION 6. REVIEW AND APPROVAL PROCEDURES

F. Applicability of Prior Zoning and Zoning Ordinances. Staff shall determine the existing zoning for a property upon receiving an application. Once the zoning for a property is determined, a property is bound by the Town Zoning Ordinance that was in effect when the property was initially zoned, or received a zoning change. The owner may elect to utilize the "current" Town Zoning Ordinance that is in effect at the time of application for sub-division, grading and drainage permit, or development permit, etc.... To do so, the applicant must submit a written request that states which potentially applicable Zoning Ordinance that they wish to use. The request will be considered by the Town Administrator, and be approved or denied within 10 working days of receipt of the request. If approved, the approved request will be irrevocable for that property.

Change the following sections of the R-3 Residential/Institutional Zone (Page 22 of 61)

SECTION 14. R-3 RESIDENTIAL/INSTITUTIONAL ZONE

B. Permissive Uses. No Building, structure, or land shall be used or occupied except as indicated and for the purposes permitted in this Zone District.

Any of the following Permissive Uses are allowed in this Zone District:

1. All uses permissive in the R-1 Zone District.
2. Multiple Dwellings provided they are connected to water and sewer systems and subject to the following restrictions:
 - a. The Floor Area Ratio shall not exceed 0.5 of any Lot; and
 - b. The gross Density of Lots shall not exceed ~~four (4)~~ twelve (12) Dwelling units per acre; and
 - c. The dedication of Open Space is at least thirty percent (30%), not including roadways, parking lots, or driveways.
3. Retirement Centers and Assisted Care Institutions
4. Medical Care Provider Offices.

**TOWN OF EDEWOOD
RESOLUTION NO. 2015-11**

**A RESOLUTION TO PARTICIPATE IN THE NEW MEXICO DEPARTMENT OF
TRANSPORTATION MUNICIPAL ARTERIAL PROGRAM (MAP) WITHIN THE
TOWN OF EDGEWOOD, NEW MEXICO.**

WHEREAS, the **Town of Edgewood** and the New Mexico Department of Transportation shall enter into a Cooperative Agreement;

WHEREAS, the total cost of the project will be **\$353,333.00** to be funded in proportional share by the parties hereto as follows:

- a. New Mexico Department of Transportation's share shall be 75% or **\$265,000.00**

and
- b. The **Town of Edgewood** proportional matching share shall be 25% or **\$88,333.00**

TOTAL PROJECT COST IS \$353,333.00

The **Town of Edgewood** shall pay all costs, which exceed the total amount of **\$353,333.00**.

Now therefore, be it resolved that the **Town of Edgewood** determines, resolves, and orders as follows:

- a. That the project for this Cooperative Agreement is adopted and has a priority standing.
- b. The agreement terminates on June 30, 2017 and the **Town of Edgewood** incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements, and understandings have been merged into the written agreement.
- c. The **Town of Edgewood** shall enter into the Municipal Arterial Program Cooperative Agreement, Project Number MAP 7649 (902), Control Number L500217 with the New Mexico Department of Transportation for LGRF Project Fiscal Year 2015/2016 for Planning, Design, Construction, Reconstruction, Pavement, Rehabilitation, Drainage and Miscellaneous Improvements for Entrada del Norte Road from NMSR 333 to Walker Road; within the control of the **Town of Edgewood** in Santa Fe County, New Mexico.

PASSED, APPROVED and ADOPTED this 5th day of August, 2015.

Brad E. Hill, Mayor

ATTEST

Estefanie B. Muller, CMC, Clerk-Treasurer